

□ 1445

GENERAL LEAVE

Mr. MARKEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill that just passed the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REREFERRAL OF H.R. 3399,
ATRAZINE PROHIBITION ACT

Mr. MARKEY. Madam Speaker, I ask unanimous consent that the bill (H.R. 3399) to prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine, be rereferred to the Committee on Agriculture, and in addition, to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING THE COMMODITY PROVISIONS OF THE FOOD, CONSERVATION, AND ENERGY ACT OF 2008

Mr. ETHERIDGE. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6849) to amend the commodity provisions of the Food, Conservation, and Energy Act of 2008 to permit producers to aggregate base acres and reconstitute farms to avoid the prohibition on receiving direct payments, counter-cyclical payments, or average crop revenue election payments when the sum of the base acres of a farm is 10 acres or less, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. TREATMENT OF FARMS WITH LIMITED BASE ACRES.

(a) **SUSPENSION OF PROHIBITION.**—

(1) **IN GENERAL.**—Section 1101(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(d)) is amended by adding at the end the following:

“(4) **SUSPENSION OF PROHIBITION.**—Paragraphs (1) through (3) shall not apply during the 2008 crop year.”.

(2) **PEANUTS.**—Section 1302(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8752(d)) is amended by adding at the end the following:

“(4) **SUSPENSION OF PROHIBITION.**—Paragraphs (1) through (3) shall not apply during the 2008 crop year.”.

(b) **EXTENSION OF 2008 SIGNUP FOR DIRECT PAYMENTS AND COUNTER-CYClical PAYMENTS.**—

(1) **IN GENERAL.**—Section 1106 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8716) is amended by adding at the end the following:

“(f) **EXTENSION OF 2008 SIGNUP.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall extend the 2008 crop year deadline for the signup for benefits under this subtitle by producers on a farm with base acres of 10 acres or less until the later of—

“(A) November 14, 2008; or

“(B) the end of the 45-day period beginning on the date of the enactment of this subsection.

“(2) **PENALTIES.**—The Secretary shall ensure that no penalty with respect to benefits under this subtitle or subtitle B is assessed against producers on a farm described in paragraph (1) for failure to submit reports under this section or timely comply with other program requirements as a result of compliance with the extended signup deadline under that paragraph.”.

(2) **PEANUTS.**—Section 1305 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8755) is amended by adding at the end the following:

“(f) **EXTENSION OF 2008 SIGNUP.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall extend the 2008 crop year deadline for the signup for benefits under this subtitle by producers on a farm with base acres of 10 acres or less until the later of—

“(A) November 14, 2008; or

“(B) the end of the 45-day period beginning on the date of the enactment of this subsection.

“(2) **PENALTIES.**—The Secretary shall ensure that no penalty with respect to benefits under this subtitle is assessed against producers on a farm described in paragraph (1) for failure to submit reports under this section or timely comply with other program requirements as a result of compliance with the extended signup deadline under that paragraph.”.

(c) **OFFSETTING REDUCTION.**—Section 515(k)(1) of the Federal Crop Insurance Act (7 U.S.C. 1515(k)(1)) is amended by striking “2011” and inserting “2010, and not more than \$9,000,000 for fiscal year 2011”.

SEC. 2. SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM.

(a) **FEDERAL CROP INSURANCE ACT.**—

(1) **DEFINITIONS.**—Section 531(a) of the Federal Crop Insurance Act (7 U.S.C. 1531(a)) is amended—

(A) in paragraph (3)(B), by inserting “has” after “on a farm that”; and

(B) in paragraph (4), by striking “section 1102 of the Farm Security and Rural Investment Act of 2002” and all that follows through the end of the paragraph and inserting “under—

“(i) section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952);

“(ii) section 1102 or 1301(6) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712, 8751(6)); or

“(iii) a successor section.”;

(C) in paragraph (5)(B)(ii), by striking “, the total loss” and all that follows through the end of the paragraph and adding “the actual production on the farm is less than 50 percent of the normal production on the farm.”;

(D) in paragraph (7)—

(i) in subparagraph (A), by inserting “for sale or on-farm livestock feeding (including native grassland intended for haying)” after “harvest”; and

(ii) in subparagraph (C), by inserting “for sale” after “crop”;

(E) by redesignating paragraphs (2) through (4), (5) through (12), and (13) through (18) as paragraphs (3) through (5), (7) through (14), and (16) through (21), respectively;

(F) by inserting after paragraph (1) the following:

“(2) **ACTUAL PRODUCTION ON THE FARM.**—The term ‘actual production on the farm’ means the sum of the value of all crops produced on the farm, as determined under subsection (b)(6)(B).”;

(G) by inserting after paragraph (5) (as redesignated by subparagraph (E)) the following:

“(6) **CROP OF ECONOMIC SIGNIFICANCE.**—The term ‘crop of economic significance’ shall have the uniform meaning given the term by the Secretary for purposes of subsections (b)(1)(B) and (g)(6).”; and

(H) by inserting after paragraph (14) (as redesignated by subparagraph (E)) the following:

“(15) **NORMAL PRODUCTION ON THE FARM.**—The term ‘normal production on the farm’ means the sum of the expected revenue for all crops on the farm, as determined under subsection (b)(6)(A).”.

(2) **SUPPLEMENTAL REVENUE ASSISTANCE PAYMENTS.**—Section 531(b) of the Federal Crop Insurance Act (7 U.S.C. 1531(b)) is amended—

(A) in paragraph (1)—

(i) by striking “(1) **IN GENERAL.**—The Secretary” and inserting the following:

“(1) **PAYMENTS.**—

“(A) **IN GENERAL.**—The Secretary”; and

(ii) by adding at the end the following:

“(B) **CROP LOSS.**—To be eligible for crop loss assistance under this subsection, the actual production on the farm for at least 1 crop of economic significance shall be reduced by at least 10 percent due to disaster, adverse weather, or disaster-related conditions.”;

(B) in paragraph (2), by adding at the end the following:

“(C) **EXCLUSION OF SUBSEQUENTLY PLANTED CROPS.**—In calculating the disaster assistance program guarantee under paragraph (3) and the total farm revenue under paragraph (4), the Secretary shall not consider the value of any crop that—

“(i) is produced on land that is not eligible for a policy or plan of insurance under subtitle A or assistance under the noninsured crop assistance program; or

“(ii) is subsequently planted on the same land during the same crop year as the crop for which disaster assistance is provided under this subsection, except in areas in which double-cropping is a normal practice, as determined by the Secretary.”;

(C) in paragraph (3)(A)(ii)(III)—

(i) in the matter before item (aa), by inserting “50 percent of” before “the higher of”; and

(ii) in item (aa), by striking “guarantee”;

(D) in paragraph (4)—

(i) in subparagraph (A)(i)—

(I) by striking subclauses (I) and (II) and inserting the following:

“(I) the actual production by crop on a farm for purposes of determining losses under subtitle A or the noninsured crop assistance program; and”; and

(II) by redesignating subclause (III) as subclause (II);

(ii) in subparagraph (B)—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) as the Secretary determines appropriate, to reflect regional variations in a manner consistent with the operation of the crop insurance program under subtitle A and the noninsured crop assistance program.”;

(E) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking “the sum obtained by adding”; and

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “the product” and inserting “for each insurable commodity, the product”; and

(II) in clause (i), by striking “greatest” and inserting “greater”;

(III) in clause (iii), by striking “of the insurance price guarantee; and” and inserting “of the price election for the commodity used to calculate an indemnity for an applicable policy of insurance if an indemnity is triggered; and”; and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking “the product” and inserting “for each noninsurable crop, the product”;